

Court Service Center

New Hampshire Superior Court

ATTACHMENTS & MECHANICS LIENS

What is an attachment? What is a mechanics lien?

- If you are filing a lawsuit claiming someone owes you money, you may ask the court for an Attachment.
- An Attachment** is an official way to put a “hold” on something owned by that person so, if at the end of the case the court agrees he/she owes you money, you can sell the person’s property to receive your money.
- A Mechanics Lien** is a specific type of attachment that can be placed on someone’s property. To qualify for a Mechanics Lien you must have performed work for or provided materials to that person within the last 120 days for which you have not been paid in full.
- There are two types of Attachments:
 - Without notice to the other side (*Ex Parte*).
 - With notice to the other side.

How can I file and what will it cost?

- A civil lawsuit can be filed in Circuit Court if the amount sought is \$25,000 or less. There is a fee to file a lawsuit in Circuit Court. [Click here for information](#)
- A civil lawsuit can be filed in Superior Court if the amount sought is more than \$1,500. If you want a jury trial you must file in Superior Court. There is a fee to file a lawsuit in Superior Court
- Superior Court civil cases **must** be filed electronically. You will need to register with TurboCourt. [Click here for the Electronic Services page.](#)
- TurboCourt has a guided interview and you will be asked information about your case. Your answers will be used to complete the Complaint.
- To attach the person’s property you will need to fill out a Motion to Attach with Notice (**NHJB-2714-Se**) and upload at the “Review and Prepare Your Documents” page. There is no additional cost, beyond the cost of filing a lawsuit, to file a Motion to Attach with Notice.
- If you believe it is likely that the property you want to attach will be destroyed, sold or moved out of state, you may fill out a Motion for *Ex Parte* Attachment (**NHJB-4005-Se**) and upload at the “Review and Prepare Your Documents” page. A Motion for *Ex Parte* Attachment will allow you to place a hold on the property without notifying the person ahead of time. There is an additional fee to file a Motion for *Ex Parte* Attachment.

EX PARTE Attachment - What happens next?

- If the Motion for *Ex Parte* Attachment is granted, you will need certified copies to complete the attachment process. Please complete a Request for Documents (**NHJB-4008-Se**) and file into your case through TurboCourt by choosing “Collect on a Judgment” and choose “Request for Certificates/Certified Copies”.
- The court will send you the certified copies via email.
- You will also receive a Summons from the court via email with detailed instructions on how to serve the opposing party.
- There will be a cost for you to serve the defendant(s).
- If the defendant(s) object to the attachment, a hearing will be scheduled and the court will notify you by email.

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Attachment with notice - What happens next?

- If you have filed a Motion to Attach with Notice, the court will schedule a hearing and you will receive a Summons from the court via email with detailed instructions on how to serve the opposing party.
- There will be a cost for you to serve the defendant(s).

What will I need to bring with me to a hearing?

- It is up to you to prove your case to the judge at the hearing. Bring paperwork you would like the judge to see. You may bring witnesses. [Click here for information on how to subpoena a witness.](#)
- You should make copies of any paperwork for the other side.

How will my attachment be enforced?

- If your Motion to Attach is granted and real estate is being attached, you will need to file a certified copy of the attachment with the Registry of Deeds.
- If your Motion to Attach is granted and an item of personal property is being attached, the court will send you paperwork via email for you to print and take to the Sheriff's Department in the county where the property is located.

Forms and Instructions are available from any NH Superior Court
Additional Information can be found at:
www.courts.state.nh.us/superior